

# **Exhibit B**

GAIL SWEENEY-1/6/20

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CASE NO. 1:19-CV-10845-ADB

\*\*\*\*\*  
GAIL SWEENEY, \*  
Plaintiff, \*  
\*  
\*  
\*  
v. \*  
\*  
\*  
SANTANDER BANK, N.A., \*  
Defendant. \*  
\*\*\*\*\*

DEPOSITION OF GAIL SWEENEY, taken pursuant to the applicable provisions of the Federal Rules of Civil Procedure, before Kristin M. Stedman, a Registered Professional Reporter and Notary Public in and for the Commonwealth of Massachusetts, at the offices of Littler Mendelson, P.C., One International Place, 27th Floor, Boston, Massachusetts, on Monday, January 6, 2020, at 9:57 a.m.

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1 A. Yes.

2 Q. Is that when you started working at Bank of  
3 Boston?

4 A. Yes.

5 Q. So I know there was a lot of changes. I  
6 believe that became BankBoston in 1996; does  
7 that sound right?

8 A. Yes.

9 Q. Then it became Fleet Bank?

10 A. Yes.

11 Q. Then that was acquired by Sovereign in 2000?

12 A. Yes.

13 Q. And then that became Santander in 2009?

14 A. Yes.

15 Q. And then it was -- you have been employed from  
16 Santander since then, correct?

17 A. Yes.

18 Q. What position did you start in at Bank of  
19 Boston in 1984?

20 A. I started data entry clerk, and I was in the  
21 freight payment department.

22 Q. How did you get the job at Bank of Boston?

23 A. I interviewed for it, and they hired me.

24 Q. How did you know that the job was open?

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1 changed again, so there were a few changes.

2 Q. Did your title change?

3 A. No, my title hadn't changed from when I was in  
4 adjustments. I don't think my title had  
5 changed. Oh, it did change from adjustments  
6 because then I think it was fraud analyst 1.

7 Q. When did you get the fraud analyst title?

8 A. I think I was an analyst in adjustments, so  
9 then when I went into fraud, they made it  
10 fraud analyst, because I was already that  
11 grade when I got there.

12 Q. Any changes to your title after you became a  
13 fraud analyst?

14 A. No.

15 Q. You mentioned Framingham and Dorchester. In  
16 2010, where did you work?

17 A. Dorchester.

18 Q. And then when did you go to Framingham?

19 A. We went to Framingham in 2014.

20 Q. Was that everyone in the department?

21 A. That was everybody in the fraud department.

22 Q. Did you work in Framingham from there forward?

23 A. Yes.

24 - - - - -

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1 A. For a while, and then it changed again.

2 Q. When did it change again?

3 A. It changed when we got to Framingham. I  
4 believe it was like February 2014. They had  
5 everybody separated, and we went from doing  
6 actual claims to being on phones, taking  
7 calls, so they turned it into like a fraud  
8 call center.

9 Q. That was 2014?

10 A. Yes.

11 Q. Why don't you just tell me what you did from  
12 2014 forward.

13 A. So 2014 forward, basically customers would  
14 call in. They had separated into groups, so  
15 there was a group of people that would freeze  
16 accounts or block accounts, and then customers  
17 would be notified, and then they would call  
18 into a queue, and we would get them on the  
19 phone, and we would have to kind of take a  
20 look at their transactions to see -- we would  
21 go over all the items with the customers, were  
22 you traveling, did you withdraw such and such  
23 funds out of an ATM, to see if they had been  
24 scammed or there was a breach out there or

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1 something like that. So we were still kind of  
2 doing the investigating piece while we could,  
3 while there was still a handle on it, and then  
4 it just became like -- and then at one point,  
5 it was just constant calls just coming  
6 through, because they kind -- they changed the  
7 criteria all the time.

8 Q. You said that they were separated into  
9 different groups?

10 A. Yes, so they had people that reviewed -- would  
11 actually review, like, a case that would come  
12 up, and then they would make the decision that  
13 it may be fraud, and they would block it. So  
14 then the customer would have to call back in  
15 when they couldn't use their card to see what  
16 was happening, why was that card blocked. And  
17 then being on the phone, I would have to go  
18 over all the transactions with the customer,  
19 verify them, see if they made them. If not,  
20 it would be entered as a fraud case.

21 Q. What group were you in?

22 A. I started out in one group, the people  
23 reviewing the transactions and blocking  
24 accounts, but then I was put over into the

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1 phone group, and we were answering phones  
2 there.

3 Q. Were there any subdivisions in the phone  
4 group?

5 A. What do you mean, "subdivisions"?

6 Q. Did one person do something, another person  
7 did something else?

8 A. No.

9 Q. So you all just handled any phone calls?

10 A. They came in, I guess, on -- I don't know how  
11 they were set up, but they were set up to be  
12 answered, supposedly by the next operator;  
13 however, there was a point when I found out  
14 that the way they were set up was I was  
15 getting call after call after call when all my  
16 coworkers were just sitting there, and the  
17 calls never stopped coming into my queue, and  
18 I used to call my supervisor over and say,  
19 Just stand with me, and what is going on. I  
20 mean, I would no sooner hang up my call, and  
21 the next call would come right into my line,  
22 when all the lines were vacant and open and  
23 available.

24 Q. The supervisor you just referenced, who was

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- 1 Q. What did Mr. Claudio say?
- 2 A. They first told me, oh, no, no, and then I
- 3 used to say, please, stand here and just look.
- 4 Everybody is available, everybody has logged
- 5 into their phones; however, the next call that
- 6 would come through, I just got off a call, it
- 7 would come through my phone. So they finally
- 8 found, I believe, it was how they were set up.
- 9 I don't know if I was the first call or
- 10 whatever, but there was definitely an issue
- 11 with that.
- 12 Q. Was the issue fixed?
- 13 A. So going into 2017, it may have been, because
- 14 I believe it slowed down a little bit.
- 15 Q. So was it a problem with how the system was
- 16 programmed?
- 17 A. Yeah, I think so -- yeah, I believe so.
- 18 Q. And why do you think that problem occurred?
- 19 A. I don't know.
- 20 Q. Getting back to the layout of where you sat,
- 21 we touched on it before briefly, focusing on
- 22 the '16, '17 time frame, were you sitting in
- 23 cubes or was it open?
- 24 A. We were sitting in, like, open tables, where

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1           there would be six of us sitting across from  
2           one another, and you had, like, a little,  
3           tiny -- did we even have a partition? I don't  
4           even know if we had partitions, because we  
5           came from cubicles, but when we went out  
6           there, it was all open seating and phones, and  
7           we were all right beside each other and across  
8           from each other.

9       Q.    So everyone could see everyone else, could  
10           hear everyone else?

11    A.    Yup.

12    Q.    You said you reported to Jose Claudio. Do you  
13           remember what his title was?

14    A.    I reported to Jose in 2015. Prior to that, I  
15           had a Kim Foisey.

16    Q.    When in 2015 did you start reporting to  
17           Mr. Claudio?

18    A.    Actually, I came back from a leave of absence  
19           because there was some issues that had gone on  
20           with Kim Foisey, and I was out on leave, and  
21           when I came back, they told me that she was no  
22           longer the manager, that Jose was going to be  
23           the manager.

24    Q.    Do you know why Ms. Foisey was no longer the

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1 Q. So you received short-term disability?

2 A. Yes.

3 MR. MELNICK: Take a few-minutes break?

4 MR. HOLMES: Please.

5 (Short break taken.)

6 Q. Ms. Sweeney, we just came back from a break.

7 While on break, did you speak with anyone

8 other than the people in this room?

9 A. No.

10 Q. Did you review any documents while we were on  
11 break?

12 A. No.

13 Q. At Santander, were you familiar with the  
14 company's code of conduct?

15 A. Yes.

16 Q. Are you familiar with the equal opportunity  
17 respectful and safe workplace policy?

18 A. Yes.

19 Q. Are you familiar with the Santander team  
20 member handbook?

21 A. Yes.

22 Q. And the antidiscrimination and harassment  
23 policy?

24 A. Yes.

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1                   2017, who did Jose Claudio report to?

2       A.     He reported to -- he reported to David Gagne.

3       Q.     After David Gagne left?

4       A.     They brought in Kim Williams, and he reported  
5             to her, and Dan Hyland. Those were the two  
6             that were there.

7       Q.     Were Kim Williams and Dan Hyland at the same  
8             level?

9       A.     I think Dan was a little higher than Kim.

10      Q.     Who did Mr. Hyland report to?

11      A.     I don't know if he reported to -- I forget.

12      Q.     Getting back to your schedule. Why did you  
13             start working the 6:30 to 7:30 schedule?

14      A.     That was when Melissa Woods came in, and I  
15             started working that and --

16      Q.     What date?

17      A.     The dates --

18      Q.     Roughly.

19      A.     I think Christmas. I don't know. I don't  
20             know; I don't remember. There was so many  
21             different schedules, I don't remember. I am  
22             sorry.

23      Q.     Did you work any schedule after the 6:30 to  
24             7:30 schedule?

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1 Q. Edith, why was she targeting you?

2 A. Edith, I don't know. Edith had the same  
3 complaints that I had most of the time, so I  
4 don't know, and then all of sudden, it  
5 changed, I guess. So maybe they made her an  
6 offer, on the inside somewhere. I have no  
7 idea.

8 Q. Maybe who made what offer?

9 A. One of the managers.

10 Q. Do you have anything to back that up?

11 A. No.

12 Q. Sasha, what did she have against you; why was  
13 she targeting you?

14 A. Let's see. She was the girl that -- it was a  
15 few years back, and she had brought this up  
16 the day that -- like it had just happened  
17 recently, and it was when we first went to  
18 Framingham, and they had a small table with  
19 four seats across from the men's and ladies'  
20 room, that was the only place we had to go for  
21 break, and I had just gotten off the phone for  
22 lunch and I was sitting there, and she was  
23 sitting like where Scott is, with her feet up  
24 on the desk, speaking loudly in Russian on a

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1 phone call, and I just said, Sasha, are you  
2 going to do that throughout the whole break,  
3 and she said, It is bothering you, and I said,  
4 kind of, because it's my break, too, and I am  
5 trying to settle myself down from coming off  
6 the phones. And she told them, like, I said  
7 because I didn't want to hear her Russian  
8 speaking. That had nothing to do with it at  
9 all. It was just that I just wanted peace and  
10 quiet for five minutes, being off the phone  
11 for my lunch.

12 Q. Did you tell her to speak English or anything  
13 like that?

14 A. No.

15 Q. Did you say that Jose was targeting you?

16 A. Jose, I believe was told to, yeah, watch me,  
17 or whatever I do, yes.

18 Q. Do you think he was told to do that, or do you  
19 think --

20 A. I think he was told to do it.

21 Q. Do you think he had anything against you,  
22 Jose?

23 A. Probably whatever the other -- I don't know.  
24 The managers, because of the PA's and me

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1           This is an inconvenience for us and the  
2           customer, and we can't give the customer any  
3           answer or assist in any way, especially when  
4           the customer is requesting to speak to someone  
5           in fraud, and they do not want to take the  
6           call. Me and my colleagues keep getting  
7           pushback from a lot of agents, but especially  
8           Gail F. Sweeney. Not only she doesn't want to  
9           take the call, but she gives us a lot of  
10          attitude in the call being unprofessional.

11                   Did anyone ever talk to you about this;  
12          were you aware of this complaint?

13       A.    I think we all talked about it at one point,  
14           Jose and myself and Edith, in a group setting,  
15           and we used to say to him, you know, what do  
16           we do with these calls, regarding the people  
17           that spoke Spanish. I can't help them. I  
18           don't know what they're saying to me. I can't  
19           verify them, which is what we need to do, so  
20           he would have us send them into the branch so  
21           they could be verified by somebody in the  
22           bank, because we couldn't do it over the phone  
23           without being able to get information. I  
24           couldn't.

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1 entry. While we were on break, any

2 recollection about what EAR is?

3 A. I can't remember, honestly.

4 Q. The first page lists Karyn Baldassarre. Do  
5 you know who that is?

6 A. No.

7 Q. Second page, suggestion detail reads,  
8 Brand-new customer account opened 5/17. Came  
9 into the branch on Sunday. He deposited a  
10 personal check for 10,000. He said it was  
11 from his mother. The check hold is for two  
12 days. The check will be available on Tuesday,  
13 5/23. I called FP&S -- Pausing there, do you  
14 know what FP&S stands for?

15 A. Fraud prevention and security.

16 Q. -- to see for guidance and to verify if the  
17 check is good. I spoke to Gail, and she said  
18 she could not see it. She asked me, What do  
19 you want to do? She was not at all helpful.  
20 With all the fraud happening at this time, I  
21 felt she should have asked me to send her the  
22 check. I know FP&S can verify large checks.  
23 She never asked me to scan to check to her.  
24 Not a very nice experience to feel you are on

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1 do you know what he was managing?

2 A. He was managing the cases in core that I  
3 actually was picked to go over and help them  
4 input, so I worked over there for a little  
5 bit.

6 Q. That was in late 2016?

7 A. Uh-huh.

8 Q. Yes?

9 A. Well, it was whatever one they put me over  
10 there for a week and then pulled me back to  
11 the phones. I think it was late 2016, yes.

12 Q. In this e-mail, Mr. Newell is not complaining  
13 about procedures. It says that several people  
14 from his team stated that you were rude, did  
15 not provide information that was requested and  
16 was very combative, correct?

17 A. It does say that, yes.

18 Q. What is your reaction to that?

19 A. My reaction to that is, there was one girl,  
20 Amalia Colon, and she would say, The way you  
21 are speaking is rude, and I said, I am just  
22 trying to transfer a call over, what do you  
23 need me to ask for information. There were  
24 some people that thought they -- all it takes

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1           conversations, as a matter of fact. It got  
2           more and more happening in the area that  
3           people were having conversations in Spanish,  
4           in the department, and like I said, Jose, who  
5           was my boss, called my former boss a stupid  
6           f'ing chink, to me, and then also used to call  
7           that man James a mother f'er, and other  
8           people, so when these conversations were going  
9           on, I just was -- we were all sitting in this  
10          type of thing, Trianna sat there, Jose there,  
11          I am here, and they were talking in Spanish,  
12          the three of them, and I was just kind of  
13          sitting here, and we were just sitting there  
14          and I said, You know, maybe English should be  
15          the language spoken in the department because  
16          we all don't know Spanish. That was it.

17                 I never stood up, I never said this was  
18          America, I never said you need to speak  
19          English. I don't know where they are getting  
20          any of that thing. I suggested maybe English  
21          should be the language spoken in the  
22          department, because not all of us know  
23          Spanish. That was it. It wasn't said  
24          maliciously, it wasn't said to -- it wasn't

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1           said rudely. It was just a suggestion on  
2           maybe -- and before I know it, I had all kinds  
3           of things saying there was a formal complaint  
4           being filed on me. And this girl, she did  
5           work there, she left, she came back as a temp,  
6           and after filing the complaint, she abandoned  
7           her job.

8       Q.   I am sorry, you said it was Trianna, and who  
9           else was sitting nearby at that time?

10      A.   Andrew, and then there was -- she was sitting  
11           with, I believe his name was Jacob. He was a  
12           new hire, and they were -- the two of them  
13           were speaking Spanish with Jose.

14      Q.   Who heard you say, Maybe English should be the  
15           language, or words to that effect?

16      A.   It would have been Andrew, it would have been  
17           Edith, it would have been all of them, but  
18           they seemed to have misconstrued the words  
19           that were said, because that is untrue. I  
20           have heard several different ways that  
21           supposedly it was said, and I just told you  
22           the way it was, and that is what I said at my  
23           unemployment hearing, is what I said.

24                   I never said, This is America; in this

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1 department, you must speak English. I never  
2 said those words. I worked at the bank  
3 thirty-plus years. I worked with all kinds of  
4 people.

5 Q. When did you make this comment?

6 A. It was, I think it was, like, the 16th, 14th,  
7 because I know on the 17th is when I got  
8 terminated.

9 Q. This is June?

10 A. Yes.

11 Q. 2017?

12 A. Yes.

13 Q. When you made the comment, did anyone say  
14 anything in response?

15 A. She said it's her --

16 Q. She being?

17 A. I am sorry, Trianna. She said, it's her  
18 native tongue, she will talk that language  
19 anytime she wants to.

20 Q. And what did you say?

21 A. I just looked at her, because they were all  
22 looking at me, and that is it.

23 Q. You said earlier that Jose called your former  
24 boss a stupid f'ing chink?

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1 the termination date?

2 A. Yes.

3 Q. So I am just trying to figure out when the  
4 meeting with Ms. Fitch-Urbano was?

5 A. It could have been.

6 Q. It was not long after you received the request  
7 to meet with her; fair to say?

8 A. Yes.

9 MR. HOLMES: Steve, quick question, the  
10 top portion of that has a date of October 16,  
11 2019.

12 MR. MELNICK: That probably should have  
13 been redacted. That was just her sending it  
14 to herself so she could send it to us.

15 Q. So that meeting you had with Ms. Fitch-Urbano,  
16 tell me everything you can recall.

17 A. She asked me a series of questions, and I  
18 answered them, and then she asked me what I  
19 said. I told her -- and she told me that she  
20 was going to be -- I don't know if she was  
21 going to be interviewing people -- or they  
22 would get back to me about this. That is  
23 about it. I mean, they asked me a series of  
24 questions that I answered.

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1 Q. When it first started, what did she say; did  
2 she say why you were meeting?

3 A. Yes, she said that somebody filed a formal  
4 complaint.

5 Q. What else did she say?

6 A. That she -- I believe she said because I stood  
7 up in the middle of the department and -- the  
8 way they said it is I banged my chest and  
9 said, This is America, you must speak English  
10 in this department. Untrue.

11 Q. What questions did she ask you?

12 A. She asked me about the travel ban, if I said I  
13 hoped -- something about Trump. I said,  
14 Absolutely not. Did I say I hoped he sent  
15 people back -- I don't even remember the  
16 entire question, but I said, absolutely not.  
17 I mean, again, I have been in banking for  
18 thirty-three years, worked with everybody and  
19 never had problems, never had a warning, I  
20 never had anything in my record.

21 What else did they ask me. They asked  
22 me if -- she asked me about Sasha, did I ask  
23 her to stop speaking on a call. I said, When  
24 I was on my break -- I said, That was a few

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1           years back, yes. I can't remember all the  
2           questions that I was asked right now. I am  
3           sorry.

4       Q.   Anything else about that conversation you can  
5           recall?

6       A.   Yeah, there was, like, some questions, like,  
7           that were just -- that I -- oh, about the --  
8           did I ever hang up on a person that worked for  
9           the bank because they couldn't say my name,  
10          that was one of the questions, and I said,  
11          Absolutely not. And I can't remember the  
12          rest.

13      Q.   How long was the meeting, roughly?

14      A.   Maybe a half hour.

15      Q.   How did it end?

16      A.   It ended with her saying she would get back to  
17          me, we would meet again. And when I got back  
18          to my desk, I think I e-mailed her and I said,  
19          I want to file a complaint as well, and she  
20          said, Sure, that is what she was there for.  
21          So she was going on vacation, or something to  
22          that effect, and she was not there when the  
23          termination took place, her coworker was.

24      Q.   Had you met Ms. Fitch-Urbano before that?

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1 A. Yes.

2 Q. How were you told about that meeting?

3 A. I was -- Kim Williams, I believe, e-mailed me  
4 and said -- no, somebody e-mailed me for a  
5 follow-up meeting. I am trying to remember if  
6 it was Kim Williams. It wasn't Urbano because  
7 she wasn't there, so it was either somebody  
8 from HR -- I want to say it was Kim Williams.  
9 She said, Come on up for a follow-up meeting,  
10 or something, and I knew right then and there,  
11 because when I walked in the room, they were  
12 all sitting there.

13 Q. Who is "they"?

14 A. It was Kim Williams, Dan Hyland, and this  
15 woman, I had no idea who she was, but she was  
16 taking the place of Karin, she was HR.

17 Q. Perry Vachon?

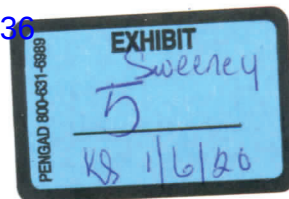
18 A. Yes. Again, that was a lie, it wasn't a  
19 follow-up meeting. They said, Come up, do you  
20 have your ID, your pocketbook, and told me  
21 there was a formal complaint filed, and blah,  
22 blah, and they interviewed people, and I was  
23 being terminated, or I could sign something  
24 and -- I don't know, they were -- and then

KACZYNSKI REPORTING



# **Sweeney Dep.**

## **Exhibit 5**



**Coaching Summary Form**

Employee Name: Gail Sweeny  
Manager Name: Jose L Claudio  
Date of Coaching Meeting: 03/06/2017

Others attending the meeting:

The purpose of this form is to follow up on our coaching discussion today regarding your performance in the area of Customer Complaint (Inbound Call – Phone Scripting).

We discussed the following items

- FCC – Phone Scripting / Failure to adhere to the scripting standards to be used when answering inbound calls.
- FCC – Policies & Procedures
- FCC - Call Evaluation Quality Scorecard
- Enterprise Complaints – Care Recorder

Indicate if any policies were discussed:

Fraud Operations Desktop Policies & Procedures

As of means of helping you develop in this critical area(s), we decided and agreed on the following as a course of action: (Customer Interaction March 1, 2017)

- Phone Scripting - The procedure must be followed during all interactions via the phone.
- Customer's Dissatisfaction/Complaints
- Fraud Department Policies & Procedures (Provided Hard Copies for further reference)

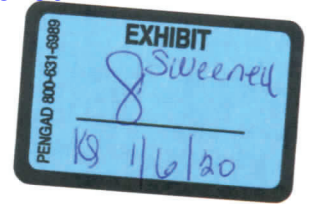
Please respond to this email (with this form attached) to acknowledge receipt.

# **Sweeney Dep.**

## **Exhibit 8**



**Coaching Summary Form**



Employee Name: Gail Sweeny  
Manager Name: Jose L Claudio  
Date of Coaching Meeting: 04/06/2017

Others attending the meeting:

The purpose of this form is to follow up on our coaching discussion today regarding your performance in the area of Customer Complaint (Inbound Call – Phone Scripting).

We discussed the following items

- FCC – Phone Scripting / Failure to adhere to the scripting standards to be used when answering inbound calls.
- FCC – Policies & Procedures
- FCC - Call Evaluation Quality Scorecard
- Complaints – Calls Recorder
- Customer interaction

Indicate if any policies were discussed:

Fraud Operations Desktop Policies & Procedures

As of means of helping you develop in this critical area(s), we decided and agreed on the following as a course of action:

- Phone Scripting - The procedure must be followed during all interactions via the phone.
- Customer's Interaction, Dissatisfaction/Complaints
- Fraud Department Policies & Procedures (Provided Hard Copies for further reference)

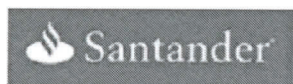
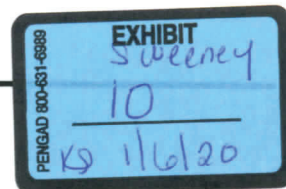
Please respond to this email (with this form attached) to acknowledge receipt.

# **Sweeney Dep.**

## **Exhibit 10**

## Message

**From:** Hyland, Daniel J [daniel.hyland@santander.us]  
**Sent:** 4/24/2017 6:50:03 PM  
**To:** Hyland, Daniel J [daniel.hyland@santander.us]  
**Subject:** FW: EAR Submissions 4.16.2017-4.22.2017



**Dan Hyland, CFE**  
 Senior Vice President  
 Head of Fraud Operations

5 Whittier St, Framingham, MA 01701  
 Tel: 508-808-6642  
[daniel.hyland@santander.us](mailto:daniel.hyland@santander.us)

*I strive to deliver a great customer experience to all of my customers. If I have not met your expectations, or if I have exceeded them, please inform my manager, Chris Hernandez. Chris can be reached at 617-533-1657 or [c.hernandez@santander.us](mailto:c.hernandez@santander.us)*

**From:** Customer Experience Suggestions  
**Sent:** Monday, April 24, 2017 5:30 PM  
**To:** US\_SMBX\_Fraud Admin <fraudadmin@santander.us>  
**Cc:** DeRidder, Timothy R <timothy.deridder@santander.us>; Hyland, Daniel J <daniel.hyland@santander.us>; Doorandish, Elizabeth <edoorand@santander.us>; Donahue, Michael <michael.donahue@santander.us>; Eberle, Andrea <aeberle@santander.us>; Rosen, Margery <mrosen@santander.us>  
**Subject:** EAR Submissions 4.16.2017-4.22.2017

Hello Dan,

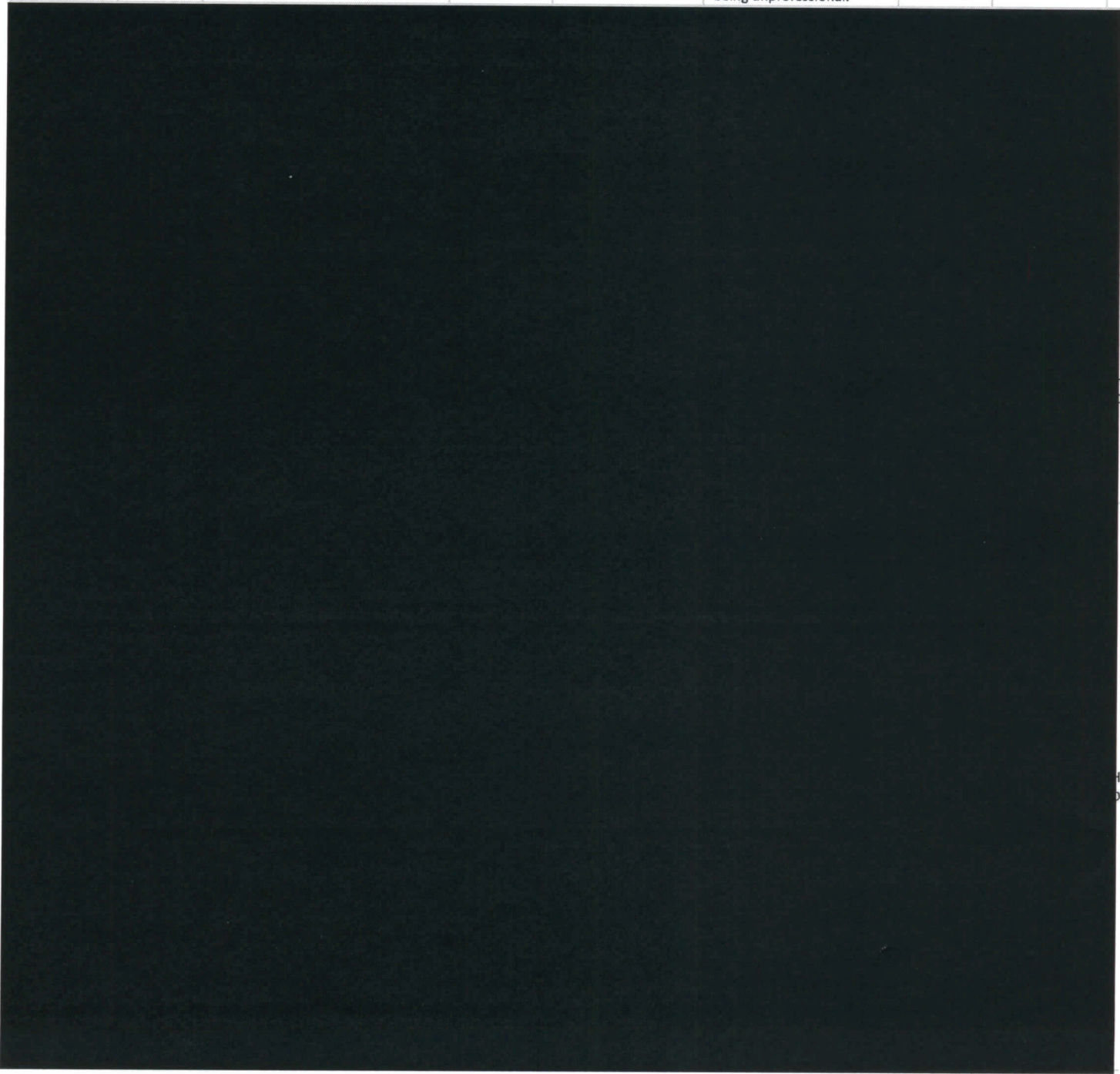
Please see below for the comments received through "The Ear" recently. I am asking for comments / responses by close of business Thursday (4.27.2017)?

Thanks in advance for your assistance with this matter and please let us know if you have any questions.

Thanks,  
 Mike

SubmissionId	Submitter Name	Email	Business line	Customer Account Detail	SuggestionDetailCombined	CreateDate	LOBComments	A
821706	Yalqueiri M Rivera	<a href="mailto:yalqueiri.rivera@santander.us">yalqueiri.rivera@santander.us</a>	CCC Service EP		Whenever we call Fraud prevention we are having a lot of issues with agents not wanting to take over calls Spanish or even English calls now. They go back and forth with us not trying to take over the call just telling us to tell the customer to go to the branch. This is an	4/17/2017		H D

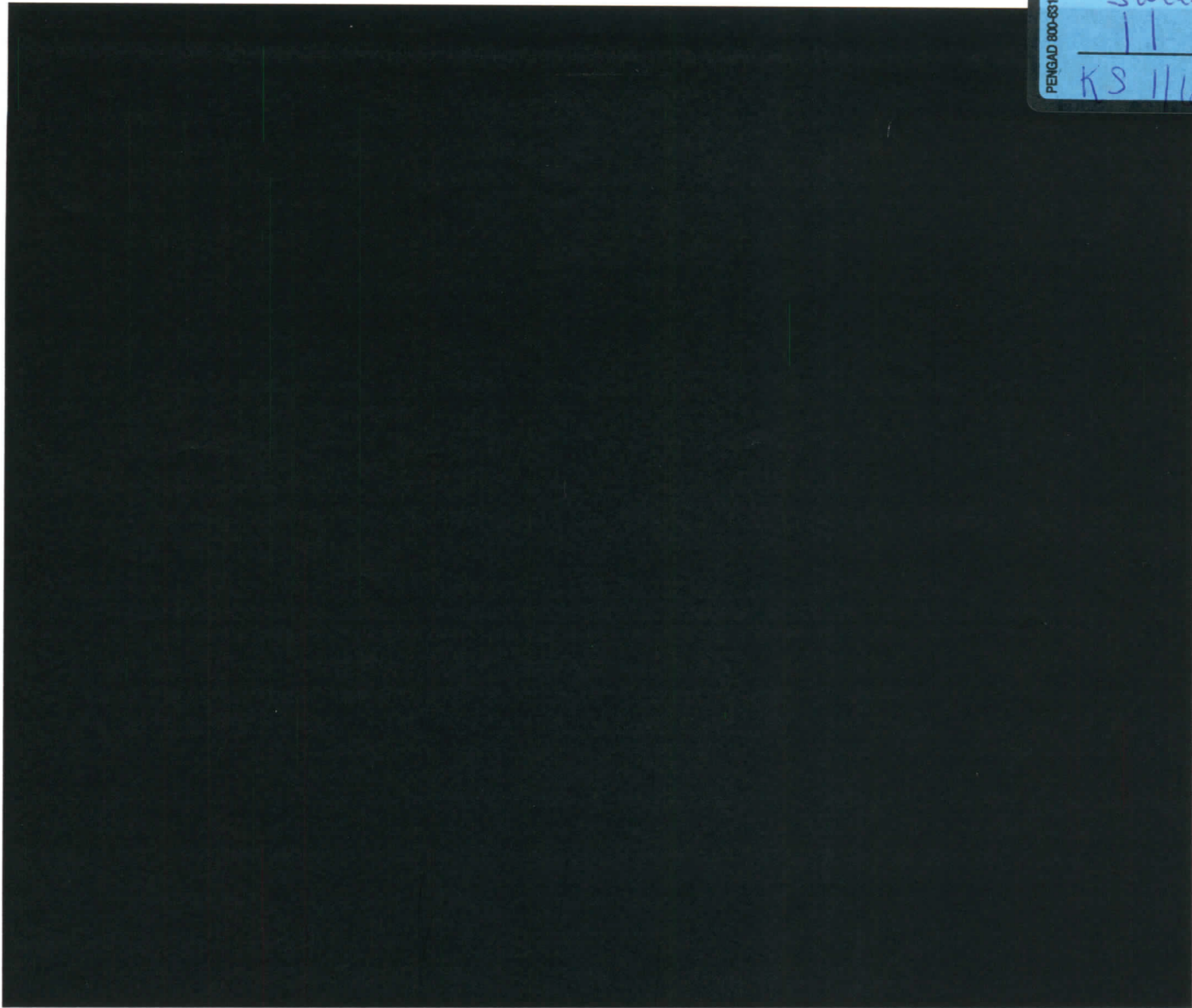
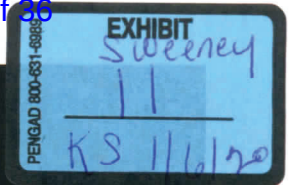
inconvenience for us and the customer when we cant give the customer any answer or assist in anyway. Especially when the customer is requesting to speak to someone in fraud and they do not want to take over the call. Me and my colleagues keep getting push back from a lot of agents but especially Gail F Sweeney not only she doesn't want to take the call but she also gives us a lot of attitude in the call being unprofessional.



# **Sweeney Dep.**

## **Exhibit 11**



**INFOPATH EAR Process email-please review (WE 05/27/2017)**

Type only in the areas designated for data entry. Your reply will be automatically processed. Therefore, it is important that the form or the message is not altered in any other way. For more information about filling out this form, see the following:

SubmissionId:

This field is read-only.

Submitter Name:

This field is read-only.

CreateDate:

This field is read-only.

Customer Account Detail:

This field is read-only.

Suggestion Detail:

Brand new customer account opened 5/17. Came in to the branch on Sunday. He deposited a personal check for 10,000. He said it was from his mother. The check hold is for 2 days. The check will be available on Tuesday 5/23. I called FP&S to see for guidance and to verify if the check is good. I spoke to Gail and she said she could not see it. She asked me what do you want to do. She was not at all helpful. With all the fraud happening at this time. I felt she should have asked me to send her the check. I know FP&S can verify large checks. She never asked me to scan the check to her. Not a very nice experience, to feel you are on your own with no support.

This field is read-only.

Suggestion Detail Contd:

This field is read-only.

LOBComments:

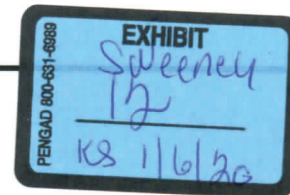
Type any combination of numbers and letters.

# **Sweeney Dep.**

## **Exhibit 12**

Message

**From:** Newell, William C [wnewell@santander.us]  
**Sent:** 4/12/2017 4:32:11 PM  
**To:** Claudio, Jose L [jose.claudio@santander.us]  
**CC:** Bennett, Joseph W [joseph.bennett@santander.us]  
**Subject:** Gail Sweeney



Hi Jose,

I wanted to bring the above referenced team member to your attention. I have had several people from my team now bring concerns to me regarding Gail and her conduct on the phone. They have stated that she is rude, does not provide information that is requested, and is very combative. In addition to this I have now had people from other banks (Citizen's) also complain to my staff regarding Gail's conduct on the phone.

The most recent example of this occurred on 04/11/17 at approximately 4:11 pm.



**William Newell, CFE**  
Fraud Prevention Team Manager

Phone: 508-215-0179 (107579)  
Fax: 508-270-6034  
Mail Code: MA1-WHT-05-02  
5 Whittier Street  
Framingham, MA 01701

[wnewell@santander.us](mailto:wnewell@santander.us)